

ATTACHMENT 1

COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF Wisconsin

(Full name of plaintiff(s))

Manuel Antonio Herrera Hernandez

vs

Case Number:

(Full name of defendant(s))

(to be supplied by clerk of court)

JOHN AND JANE DOE DODGE

DETENTION FACILITY

STAFF MEMBERS

JOHN DOE CORRECTIONAL OFFICERS

A. PARTIES

1. Plaintiff is a citizen of Mexico, and is located at
(State)

Waupun Corr. Inst. P.O. Box 351. Waupun. WI. 53963
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant s. JOHN AND JANE DOE CORR. OFFICERS AND STAFF
(Name)

is (if a person or private corporation) a citizen of WISCONSIN
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Dodge Detention Facility at Juneau, Wisconsin
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

1: The plaintiff Manuel A. Herrera Hernandez is currently incarcerated at W.C.I

2: About February 2, 2020, I was detained at Dodge Detention Facility at Juneau, Wisconsin. Fighting my immigration case.

3: About February 2, 2020 I filed a sick call form in the facility complaining about a strong pain in my stomach and having a hard time to use the bathroom one of the nurses told me to drink more water and walk, I told her I drank a lot of water everyday, I went back to my cell and pain was getting worse

4: I told the officer in the unit that I still having a lot of pain, he told me that the nurse already said I was Fine.

- 5: Days went by and I still complained about having pain and not being able to use the bathroom, two nurses checked me and took blood out of me, and said I was fine, they gave me some laxative that didn't work.
- 6: I went to my cell having a hard time to walk, when I got back it got worse me and another inmate (Francisco Torres) complained to C.O on duty the nurse came to the unit, and she told the C.O. I was lying or faking that I was fine, I asked the nurse why she said I was lying and she said because she knew I was fine.
- 7: I constantly kept asking the C.O.^s for help and to call the nurse, they told me that the nurses knew about me and that I was fine.
- 8: At night I pushed the intercom button inside the cell because I was in a lot of pain, the C.O on duty got mad at me for pushing it even that he saw me on my knees by the door crying in pain, he told me it was only for emergencies, I told him is why I pushed it cause I was in a lot of pain, not able to walk straight and not being able to lay on the bunk, he told me he will let the nurse know, he left, hours passed, nurse never showed up, so I pushed the button again, the C.O came back real mad, he told me that the nurse will come whenever she have time to come, and to stop pushing the button.
- 9: Few hours later the nurse came, she checked my blood presion and said

I was fine, she gave me 2 tylenols that didn't help my pain at all.

10:- I believe that I was in pain for 10 days, not being able to use the bathroom, eating almost nothing even that I was hungry, and not being able to walk normal, I asked the C.O to please call the nurse or Dr. that this was not normal, he did.

11:- I went to see the Dr. of the facility and she told me everything was fine.

12:- Next day or two, I asked to be seen by the nurse, she took blood out of me again and told me that she will make sure to send it to the lab, because the first time she took blood ~~the~~ Doctor stoped her to do so.

13:- Like in a hour later the C.O told me to get redy that I was going to the hospital.

14:- Once at the hospital the doctor checked me and said I needed to have surgery right away, after the surgery the Dr. told me that I had almost died if they took a little longer to bring me to the hospital, they had to cut me wide open to clean inside me because they wait so long to bring me to the hospital I had to had ~~major~~ surgery for appendicitis.

15:- I asked the Dr. for a copy of my medical report but Sergeant Nichols stepped in and told the doctor not to give it to me, and he talked to the Dr. outside the room but later on the Dr. told me that don't worry that he will make sure I get my medical report.

Attachment One (Complaint) - 3-A

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.
OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

The Plaintiff is asking to be awarded compensatory damages in the amount of \$150,000.00 one hundred and fifty thousand dollars from defendants JOHN AND JANE DOE CORRECTIONAL OFFICERS AND STAFF MEMBERS for violations of the Eighth Amendment to my constitutional rights.

The Plaintiff is asking to be awarded punitive damages in the amount of \$150,000.00 One hundred and fifty thousand dollars from defendants JOHN AND JANE DOE CORRECTIONAL OFFICERS AND STAFF MEMBERS.

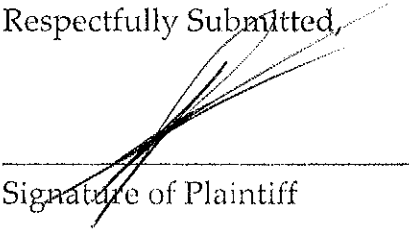
E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case
OR

☐ Court Trial - I want a judge to hear my case

Dated this 10 day of September 20 21.

Respectfully Submitted,



Signature of Plaintiff

700562

Plaintiff's Prisoner ID Number

Waupun Corr. Inst. P.O. Box 351

Waupun, Wisconsin. 53963

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.